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The situation in the occupied territories of Azerbaijan

Letter dated 11 November 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith a letter dated 11 November 2004 from H.E. Mr. Elmar Mammadyarov, Minister of Foreign Affairs of the Republic of Azerbaijan, regarding the illegal activities carried out in the occupied territories of the Republic of Azerbaijan and providing information on the transfer of population into the occupied territories of Azerbaijan (see annex).

I should be grateful if the present letter and its annex were urgently distributed as a document of the General Assembly under item 163 of the agenda of its fifty-ninth session.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

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Annex to the letter dated 11 November 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the President of the General Assembly

On 29 October 2004 the UN General Assembly decided to include the item entitled "The situation in the occupied territories of Azerbaijan" to the agenda of its current session. The matter was brought by the Delegation of Azerbaijan in view of dangerous development in the occupied territories which undermines the negotiations on the settlement of the conflict in and around the Nagorny-Karabakh region of the Republic of Azerbaijan carried on under the auspices of the OSCE Minsk Group.

As you are aware, the ongoing conflict has resulted in the occupation of a significant part of the Azerbaijan's territory and expulsion of a large portion of its population. I enclose a map depicting the major results of the Armenian aggression, as well as information on illegal settlements in the occupied territories of Azerbaijan (see enclosure).

Responding to the occupation of the Azerbaijani territories the Security Council has adopted four resolutions — 822 (1993), 853 (1993), 874 (1993) and 884 (1993) — demanding the immediate, complete and unconditional withdrawal of the occupying forces from the occupied territories of Azerbaijan and the creation of necessary conditions for the return of displaced persons to their homes in security and dignity. Those provisions of the resolutions remain unimplemented.

While negotiations are going on, the Armenian side without any hesitation tries to consolidate the current status quo of the occupation through illegal activities in the occupied territories of Azerbaijan, in particular by transfer of settlers. Sources, including Armenian ones, report on 23,000 settlers who moved into the occupied territories of Azerbaijan, including districts adjacent to the Nagorno-Karabakh region, particularly districts of Lachin, Kelbajar, Zangelan and Jabrail. Armenia intends to increase the Armenian population on the occupied territories from currently reported 143,000 to 300,000 by year 2010. Facts testify that this is being done in an organized manner with the purpose of annexation of these territories.

These activities constitute gross violation of the relevant provisions of international humanitarian law and should be dealt with by the Assembly in all its aspects in order to stop and reverse them. It is obvious that without strong pressure on the part of the international community Armenia will not change its belligerent and destructive stance.

I would like to reassure that Azerbaijan remains committed to the negotiation process under the auspices of the OSCE Minsk Group. By bringing the matter in question to the attention of the international community Azerbaijan intends to halt illegal activities in its occupied territories and reverse them so as to eliminate the obstacles in negotiations in the quest for peace.

(*Signed*) Elmar **Mammadyarov**

Enclosure

Information
on the transfer of population into the occupied territories of Azerbaijan

I. Background

The ongoing conflict in and around the Nagorny-Karabakh region of the Republic of Azerbaijan has resulted in occupation of a significant part of the Azerbaijan's territory and expulsion of a large portion of its population and severe damage to the national economy. The most serious crimes of concern to the international community have been committed during the conflict.

The United Nations Security Council in its resolutions 822, 853, 874 and 884 of 1993, while reaffirming the sovereignty and territorial integrity of the Republic of Azerbaijan, demanded the immediate, complete and unconditional withdrawal of the Armenian armed forces from the occupied territories of Azerbaijan. Expressing grave concern at the displacement of a large number of civilians in Azerbaijan, the resolutions appealed to assist refugees and displaced persons to return to their homes in security and dignity. In 1993, the UN General Assembly considered the humanitarian situation in Azerbaijan, which was seriously aggravated by the emergence of one million refugees and displaced persons.

Despite mediation efforts by the OSCE Minsk Group no progress has been achieved thus far in the process of the settlement of the conflict. Armenia continues to disregard the fundamental norms and principles of international law, unanimously reaffirmed by the members of the international community, and obstruct the peace process.

Against this background, Armenia in its attempt to consolidate the status-quo of the occupation and to prevent the expelled Azerbaijani population from returning to places of their origin, advances the transfer of population into the occupied territories, exploits the Azerbaijan's natural resources and carries out other illegal activities.

Highly alarmed by the far-reaching implications of this activity, which can completely derail already fragile peace process, Azerbaijan has requested to address the situation in its occupied territories within the UN General Assembly. This initiative proceeds from the strong believe that the only way for reaching a just, complete and comprehensive settlement of the conflict between Armenia and Azerbaijan is an approach based on the full and unequivocal respect for the letter and spirit of international law, including international humanitarian law.

The United Nations General Assembly decided on 29th of October 2004 to include the item entitled "The situation in the occupied territories of Azerbaijan" in its agenda.

According to the official census of 1989, before the conflict the total number of Armenians in the former Nagorny-Karabakh Autonomous region of Azerbaijan SSR was 145,450. The sources report about the program to increase artificially the Armenian population of the region up to 300,000 by 2010. In the course of the resettlement policy, over the last years about 23,000 people (5,300 families) had been transferred into the Nagorny-Karabakh region and other occupied territories of Azerbaijan, including 13,000 in Lachin, 700 in Kelbajar, 520 in Zangelan and 280 in Jabrayil, which before their occupation and ethnic cleansing were fully populated by Azerbaijanis. The settlement plan includes

also transferring of 15,000 settlers into Shusha - Azerbaijani-populated town in the Nagorno-Karabakh region before it was ethnically cleansed. The biggest portion of settlers is from Armenia, though ethnic Armenians from other countries are also actively involved and contributed to this process.

In the information below are numerous facts and accounts documented by governmental and international organizations sources, as well as provided by Armenian mass media reports, which testify that the settlements are being established both in the Nagorny-Karabakh region and in other occupied territories of Azerbaijan, from which the entire Azerbaijani population was expelled, and that this is being done in an organized manner with the purpose of annexation of these territories.

II. Legal Assessment

As set forth in para. 6 of Article 49 of the Geneva Convention IV Relative to the Protection of Civilian Persons in Time of War of 12 August 1949, "[t]he Occupying Power shall not deport or transfer of its own civilian population into the territory it occupies".[1]

The unlawful deportation or transfer of population into the occupied territory are listed among the grave breaches of both the Geneva Convention IV (Article 147)[2] and the Protocol I Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Article 85.4 (a)).[3]

According to Article 8.2 (b) (viii) of the Rome Statute of the International Criminal Court, "[t]he transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory" fall within the serious violations of the laws and customs applicable in international armed conflict.[4]

The International Committee of the Red Cross pointed out in the Commentary to the Geneva Convention IV that the above-mentioned clause from para. 6 of Article 49 was intended to prevent a practice adopted during the Second World War by certain Powers, which transferred portions of their own population to occupied territory for political and racial reasons or in order, as they had claimed, to colonize those territories. In view of the ICRC, "[s]uch transfers worsened the economic situation of the native population and endangered their separate existence as a race."[5]

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[1] A.Roberts & R.Guelff (eds.), Documents on the Laws of War (Oxford, Oxford University Press, 3rd edition, 2003), p. 318.
[2] *Ibid.*, p. 352.
[3] *Ibid.*, p. 471.
[4] A.Roberts & R.Guelff (eds.), pp. 675-677.
[5] J.Pictet (ed.), Commentary to the IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Geneva, International Committee of the Red Cross, 1994), p. 283.

III. Official Sources

- **The International Committee of the Red Cross in its verbal note of 10 November 2000** addressed to the Permanent Mission of Azerbaijan to the United Nations Office and other international organizations at Geneva shared "the concern ... as regards the "cooperation agreement" between Armenia and Nagorny Karabakh whereby, according to the "*Noyan-Topan*" news agency, there will be a sharp increase in the population of Nagorny Karabakh...". In this regard, the ICRC made it clear that "it ... endeavours to direct its humanitarian assistance in a way that does not help to consolidate territorial gains by one party to a conflict and that will not encourage resettlement which could be an obstacle to the return of forcibly displaced persons to their homes". The ICRC pointed out that "the question of transfer of populations to areas from where civilians have fled was already addressed ... in the context of the Nagorny Karabakh conflict, and it still remains on the ICRC's agenda".

- **U.S. Committee for Refugees, World Refugee Survey 2002 Country Report, Armenia (<http://refugees.org/world/countryrpt/europe/2002/armenia.cfm>):** "According to the de facto government of Nagorno-Karabakh, the population of the enclave stood at about 143,000 in 2001, slightly higher than the ethnic Armenian population in the region in 1988, before the conflict. Government officials in Armenia have reported that about 1,000 settler families from Armenia reside in Nagorno-Karabakh and the Lachin Corridor, a strip of land that separates Nagorno-Karabakh from Armenia."

- **In its reply of 5 February 2003 adopted at the 826th meeting of the Minister's Deputies in regard to the Parliamentary Assembly Recommendation 1570 (2002) entitled "Situation of refugees and displaced persons in Armenia, Azerbaijan and Georgia", the Council of Ministers** had pointed out *inter alia* that "[r]efugees and displaced persons who so wish should have the right to return to their native lands in safety and dignity which requires that measures be taken to avoid the settlement of non-indigenous populations in the occupied territories."[6]

- **Document of the United Nations Sub-Commission on Promotion and Protection of Human Rights Working Group on Minorities E/CN.4/Sub.2/AC.5/2003/WP.7, 5 May 2003 (pp. 34-35):** "A policy of resettlement in areas held by the Armenian forces around Karabakh ('occupied territories' or 'security zone') which enjoy relative security has been conducted since 1990s. Applications for settlement are approved by the governor of Lachin who tends to mainly accept families. Settlers normally receive state support in renovation of houses, do not pay taxes and much reduced rates for utilities, while the authorities try to build physical and social infrastructure. At present, the numbers are small – between 20,000 to 28,000, according to local authorities. However, if this process continues (and the expectation is that Armenian labour migrants who will be returning from Russia, will be encouraged to go there), Israel-type scenario can be easily envisaged and it would be even more difficult to reach a 'peace for territories' settlement."

[6] See Council of Europe website, <http://cm.coe.int/stat/E/Public/2003/cmasrec/2003cmasrec1570final.htm>, para. 6.

- **U.S. Department of State, Country Reports on Human Rights Practices, Azerbaijan, 25 February 2004, section 2 (d) (<http://www.state.gov/g/drl/rls/hrrpt/2003/27826.htm>):** "There were credible reports that Armenian immigrants from the Middle East and elsewhere, had settled in parts of Nagorno-Karabakh and possibly other Azerbaijani territories occupied by Armenian forces."

- **Report on the Activities of the Personal Representative of the OSCE Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference, 1 September – 31 October 2004 (p. 48, para. 48):** "On Oct. 5, the "NKR Prime Minister", A.Daniyelyan outlined details of a programme to double the population from 150,000 to 300,000. He said that the issue was of demographic, economic and strategic importance. "The programme will be implemented in all districts and in border districts in the first place and is being financed from the budget of the NKR with additional contributions from various organizations."

IV. Armenian Sources

- **Plan to increase the population of the Nagorny-Karabakh region up to 300,000 by 2010 approved by the Prime-Minister of Armenia.**

The Armenian news agencies «*Noyan-Tapan*», 5 September 2000, and "*Mediamaks*", 6 September 2000: During the working visit to "Stepanakert" on 2-3 September 2000 of Andranik Markaryan, Prime Minister of Armenia, an agreement on mutual cooperation in various fields was signed between him and "Prime Minister of the Nagorny-Karabakh Republic", Anushavan Danielyan. Apart from the several action plans, the above mentioned document contains the provision on the transfer of population into the occupied territories of Azerbaijan. According to the document, there will be a sharp increase (up to 300,000) in the population of the region during the coming decade.

- **Plan to transfer 15,000 settlers into Shusha - Azerbaijani-populated town in the Nagorno-Karabakh region before it was ethnically cleansed.**

The Armenian news agency "*Snark*", 15 January 2000, "*NKR Plans for 'Spiritual-Cultural' Revival of Shusha*": "Nagornyy Karabakh Republic [NKR] Prime Minister Anushavan Daniyelyan has said that by the year 2010, the population of the town of Shusha should be 15,000 and the town itself will undergo a revival as one of the great spiritual-cultural centres. For Shusha, which was almost 90 per cent destroyed as a result of the hostilities, the most topical problem is the problem of settlement, which is directly linked to the creation of new jobs. A tea-producing enterprise using local raw materials has recently opened in the town. Besides that, a branch of the Yerevan jewel factory which is to provide jobs for 300 people has been set up."

- **Resettlement benefits for Armenian families from Armenia and other countries.**

"*AZG*" Armenian Daily, 18 April 2001, "*The Nagornyy Karabakh Republic Really is a State*" by Tatul Akopyan, [subhead] "*It is the Only Caucasus Republic Where Population Growth is Registered*": "The NKR's only problem, which can certainly be called a pan-national one, is the problem of resettlement, which is the main guarantee for NKR security. According to unofficial information from Stepanakert, the NKR has 150,000-160,000 thousand residents, while the republic is able to provide normal living conditions for more than 300,000 people. The NKR prime minister,

Anushavan Danielyan, said several times that in 2010 the NKR population would reach 300,000. As Samvel Arutyunyan, head of the internal migration and resettlement board, told Azg, since October 2000 till today 2,000 families have wanted to resettle in Artsakh. Five hundred families were registered and work on their move has already started. Armenian families from Armenia, the Russian Federation's North Caucasus republics, Rostov, Krasnodar regions and other countries want to move to Karabakh. As the NKR government is unable to accept all the applicants at the same time, selection is made according to the following criteria: a) the families must be whole, b) the families must have many children, c) they must have experience in agriculture, raising livestock and so on. The NKR government gives some aid and privileges to the immigrants. The resettlement of these families in Artsakh is carried out with state funds - they receive a newly built house, 6,000 square metres of land per capita, a credit of 200,000 drams for 20 years and 0.5 per cent interest per family, and families are exempted from taxes for the first five years. We hope that the Armenians of the Diaspora will support the programme of Artsakh's resettlement."

- **Part of the settlers moved in the occupied Lachin district of Azerbaijan.**

The Armenian news agency "*Asbarez Online*" (*RFE/RL*), 10 September 2001, "*Officials Say Karabakh Population Nearing Pre-War Level*": "According to official data released in Stepanakert, the population of Nagorno-Karabakh increased by one percent in the first half of this year to just over 143,000, helped by a high birth rate and an influx of settlers from Armenia. Officials in Yerevan, meanwhile, say that more than one thousand families from Armenia have taken up residence in Karabakh since 1994. Part of the settlers resides in the Armenian-controlled Lachin district in Azerbaijan... Lachin, which was fully populated by ethnic Azeris before its capture by Karabakh Armenian forces in May 1992, now has at least several thousand residents. According to the Armenian government's Department of Migration and Refugees, as many as 100,000 Armenian families are ready to move to Karabakh."

- **The Armenia's government is asked by 700 families, the biggest portion of which is urban residents of Armenia, for permanent residency in the Nagorny-Karabakh region.**

The Armenian news agency "*Asbarez Online*" ("*Armenpress*" and "*Noyan Tapan*"), 10 January 2002, "*Resettlement In Karabakh On the Rise*": "The [Armenia's] government-affiliated migration and refugee commission said that close to 700 families asked for permanent residency in Nagorno Karabakh between October 2000 and January 1, 2002. The biggest portion, 547 families, was urban residents of Armenia. Approximately 310 families were from Yerevan; however people emigrating from Gegharkunik, Lori, and Kotayk provinces constituted the majority of immigrants. The department said it helped settle 70 families or 370 people in Nagorno Karabakh in the last two years. Last year, three Armenian families from Syria moved to Karabakh as well."

- **More than 1,158 families had been transferred into the Nagorny-Karabakh region from Armenia and other countries since the inception of the resettlement program.**

The Armenian news agency "*Noyan Tapan*", 12 July 2002 (cited from <http://www.network54.com/Forum/thread?forumid=149359&messageid=1026495185&lp=1026495185>), "*150 More Families Will Resettle in Karabakh*": "During a press conference Wednesday, the Nagorno-Karabakh Republic minister of social security Lenston Ghoulian announced that $780,000 has been allocated toward the resettlement of Armenians in Karabakh, adding that by year`s end an estimated 150 families will resettle in various regions in Karabakh. The minister stated that since the inception of the resettlement program, more than 1158 families (more than 4500) have resettled in Karabakh from Armenia and the Diaspora."

- **Campaign to recruit settlers among Armenians from various countries.**

RFE/RL, 31 July 2003, "*Russia: Nagorno-Karabakh -- Leadership Campaigning To Recruit Settlers Among Russia's Armenians*" by Jean-Christophe Peuch: "The leadership of the self-proclaimed republic of Nagorno-Karabakh has launched a campaign to recruit settlers among the Armenian diaspora. Hundreds of settlers have moved to Karabakh from Iran, Lebanon, France, and the United States in recent years, but they are too few in number to compensate for the loss of population that followed war with Azerbaijan. Local authorities are now turning their attention to the Kuban region, which is home to one of Russia's largest Armenian communities. A nongovernmental organization called Hayreniki Kanch, or Call of the Motherland, was set up on 19 July with a view to facilitating the settlement, or resettlement, of Krasnodar Armenians willing to move to Karabakh. Call of the Motherland chairman Roman Khamperian tells RFE/RL the decision to set up an organization aimed at helping Armenians move to Artsakh -- as Karabakh is known among them -- stems from Stepanakert's political willingness."

- **During 1994-2004 about 23,000 Armenians had been transferred into the Nagorny-Karabakh region and other occupied territories of Azerbaijan.**

"*Azat Artsakh*" newspaper, 26 January 2004 and 4 October 2004; information agency "*Rosbalt*", 8 June 2004; "*YERKIR*" Armenian newspaper, 11 June 2004, "*Karabakh building housing, schools for settlers*" (Text of N.Pogosyan's report headlined "*Social conditions for settlers in Karabakh being improved*" in <http://www.armeniandiaspora.com/archive/5990.html>); "*AZG*" Armenian Daily # 171, 30 September 2004, "*120 Families Inhabited in Karabakh*"; Armenian TV company "*A 1 +*" <http://www.a1plus.am/eng/?go=issue&id=20732>, 30 September 2004, "*The number of Migrants Increases*": Serzh Amirghanian, "chief of the department on refugees and migrants" of the so-called "Nagorny-Karabakh Republic", announced that according to the "NKR government" program of resettlement, the number of settlers should reach 67-70 thousand people by 2010. He also informed that "during last 10 years (1994-2004) about 23 thousand people had been resettled to Arsakh and adjacent districts...," including 130 families in Zangelan and 70 families in Jebrayil districts of Azerbaijan. Thus, according to Amirghanian, in 2002 they received 105 families, in 2003 - 165 families, and during 9 months in 2004 - 160 families. He made it clear that till the end of 2004 they planed to increase the number of settlers up to 200 that would increase in dynamics by 30-35% year by year. Amirghanian also informed that the "NKR government's" ten-year development program for Shousha and the Shousha district also envisaged the resettlement plans.

- **Armenian non-governmental organization had secured $400,000 in written pledges from donors to assist in transferring 80 Armenian families into the Nagorny-Karabakh region.**

"*ArmenPress*", 19 March 2004, "*Yerkir to help resettle 80 families in Karabakh*" (Cited from: <http://www.armeniandiaspora.com/archive/617.html>): "Yerkir (Country) non-governmental organization said today it has secured $400,000 in written pledges from donors to organize resettlement of 80 Armenian families in Nagorno Karabagh. The organization's declared goals are to promote resettlement of Armenian families in Armenian frontier regions and in Karabagh and to defend their rights, apart from maintenance of Armenian cultural and architectural monuments in these regions. Proceeds for implementation of these projects are raised mainly by Diaspora organizations. Last year the organization carried out $200,000 worth projects having resettled also two Armenian families in Karabagh."

- **80 families from Armenia to be transferred into the Nagorny-Karabakh region. Charitable fund named after a well-known international terrorist participate in financing the settlement programmes.**

Armenian news agency "*ARMINFO*", 19 March 2004, "*80 Unsecured Families of Armenia to be Resettled in Artsakh Within Current Year*" (cited from <http://felist.com/archive/media.arminfo/200403/19223021.html>): "Within the 2004, some 80 unsecured families from Armenia will be resettled in the Nagorny Karabakh Republic, Executive Director of the Union of Public Organizations for Repatriation and Settlement "Yerkir" ("Country") Sevak Artsruni made this statement at a press-conference in the House of Journalists today. He said that within the coming two months, some 35 families from Armenia will settle in NKR. They will be provided with cottages and household plots (1,500-2,000 sq/m). Besides, Artsruni said that the migrants will receive definite privileges on legal basis, for example, exemption of taxes. It should be noted that the Union "Yerkir" (consisting of 5 public organizations of Armenia and Artsakh) operates from November of 2002. Artsruni said that development of bordering zones is important for Armenia like any other developing country. Thus, in 2003 in the NKR regions of New Shahumyan and Hadrout, several schools, kindergartens and hospitals were built due to the Union. The total cost of the program was $186,356 and 22,732 EUR. "Yerkir" representative said that in 2004 construction works will be carried out in Mardakert, Hadrout and New Shahumyan regions of Artsakh as well as in the Armenian regions of Tavush and Gegharkunik (in more than 30 populated areas). The program for 2004 will total more than $400,000. The programs are financed by charitable funds of France, Canada, USA: "France-Karabakh", "Armenia", "Monte Melkonyan"[7] and Armenian foreign charitable-families. Sevak Artsruni said that at present the Union "Yerkir" registers families residing in Russia and other CIS signatory-countries, who want to return to their historical Motherland and have no such possibility."

- **Administrative and demographic changes of Lachin along with defacement and appropriation of Azerbaijan's cultural heritage.**

Armenian General Benevolent Union, 1 April 2004, "*Kashatagh: Rebuilding in old Lachin*" by Vahan Ishkhanyan (<http://www.agbu.org/agbunews/display.<asp?A_ID=143>): "Kashatagh may be the only region of "two Armenias" where there are no magnificent villas or foreign cars. As one resident said, there are no rich or poor here and all are equal. Outsiders still know it as Lachin, famous for the corridor that was the hard-won link between Armenia and Karabakh, gained during fierce fighting in 1992. But to the locals, this area retaken from Azerbaijan and made the sixth region of Karabakh has regained its ancient name. "Kashatagh is the land of our ancestors," says head of administration of Kashatagh Alexan Hakobian. For many Armenians, Kashatagh is an escape. It lacks the dramatic gap between social classes seen in Stepanakert or Yerevan. Here, they can move to a new region and start a new life where they become landowners instead of refugees. With the exception of officials, it is hard to find any who say they settled here for patriotic reasons. Together with his wife and two children Karo Meseljian moved from Yerevan to Berdzor (the city formerly known as Lachin), the provincial seat of Kashatagh, two years ago. He left his older son in Yerevan with his parents while he attends chess school there. In Yerevan, Karo had a small shop which was somewhat profitable. Now he rents out that shop and has started a business in Berdzor, bringing goods from Yerevan and selling them to local shops… His wife, Gayaneh, is a nurse. She

[7] Monte Melkonyan - a well-known international terrorist, hunted by Interpol and jailed in France in 1985-89, was killed in 1993 while participating in armed operations in the territory of Azerbaijan.

didn't work in Yerevan, but in Berdzor she works in a kindergarten... People move to Kashatagh for many reasons. Some have sold their houses in Armenia to cover debts, and come here to start debt-free living. Some young couples want to start families separate from their parents. Most see the new region of Karabakh as offering opportunities they don't see in their old homes. And one can meet various types of former officials in Kashatagh. In one village the director of the school is the former head of the Education Department of Yerevan. In another village one of former president Levon Ter-Petrosian's security service raises cattle. Former Karabakh Minister of Defense Samvel Babayan's assistant is head of the Social Department. After a decade of resettlement, the region of 300 square kilometers now has about 13,000 residents. Of 127 settlements, only 57 have electricity. (Authorities say villages in the southern part of the province should have electricity within a year, however the northern parts don't expect electrical service for at least five years.) There are two hospitals in the region, in Berdzor and in Kovsakan (formerly Zangelan), the second largest town, near the border of Iran. Each community has a nurse. At the Berdzor hospital, director Artsakh Buniatian insists on keeping his hospital a place where residents can receive free treatment... While laying the foundation for a new society, culture has not been ignored in the resettling of Kashatagh. In 1996 a Museum of History was opened in Berdzor, which now holds some 300 exhibits... Most items in the museum were collected by director Livera Hovhannisian, who before moving to Berdzor had worked for 18 years in the Yerevan Museum of History. "During one month, I had traveled in 47 villages and collected all these exhibits to be in time for the museum's opening," she says. "Those days many villages hadn't been settled yet. Accompanied by two men, I was going to every village by truck and we were searching and finding in every house things we had been looking for." Some paintings were sent from the Ministry of Culture in Yerevan. As Armenian life in previously enemy territory is formed, one feature, the Church, lacks a significant presence in Kashatagh. In the entire province the only functioning church is Holy Ascension, built in Berdzor in 1997. The highest settlement in Kashatagh is 1,700 meters above sea level; the lowest, 330. In the mountainous north, life is harsh and most villagers exist raising cattle. To the south, however, farms prosper from generous growing seasons and fertile valleys of the Hakar River. It was in such a valley that the first families resettled, mostly in Tsaghkaberd (formerly Gyuliberd) where 70 families now live... "I have the land but how can I cultivate it if they don't grant credits and don't give a seeding machine," says school director Samvel Sedrakian, a former Yerevan journalist. "I have eight hectares of land but I can't sow it. It's true, villagers feed themselves, there are not hungry people, but they cannot make any profits." Slava Tokhunts is an exception. He moved to Kashatagh from the Goris region and brought a seeding machine with him. Every year he sows wheat on his 5.5 hectare property. Over the past five years, the area of cultivated crop-lands has increased in Kashatagh from 5,000 hectares to 12,000 hectares. The number of livestock has increased to about 26,000 head (cattle, goats, sheep). At the same time, the stream of migrants has tapered. Between 1997-98, nearly 800 families moved to the province. Last year, 80 new families settled there and about the same amount left."

- **Incentives for settlers, who move to the Nagorny-Karabakh region also "because they tired of "city" life, and wanted to enjoy Karabakh's famous nature."**

Armenian General Benevolent Union, 1 April 2004, "*The Politics of Population: Resettlement Program Attracts the Dislocated and the Opportunists to Free Life on the Land*" by John Hughes (ArmeniaNow.com reporter Julia Hakobyan contributed to this report) (<http://www.agbu.org/agbunews/dispplay.asp?A_ID=140>): "Ina Poghosian has a very simple answer, when asked why she has moved to the Karabakh village of Nor Haykajour. "There was water here," Ina says. The very village itself was named for water ("Hayk's water"), but there's

more behind Ina's answer. For five years Ina, her husband and daughter have lived in a single-room furnished by two beds, a cradle, a table and a wood stove in the middle. In 1999, the village got electricity, and in 2000, running water. By the time you read this, the Poghosian family should be living in a new house of far better means, built by the state. This year, the Karabakh budget allocated 440 million drams (about $785,000) for implementation of the program, that includes building 98 houses. But in addition to getting a house, outsiders choosing to relocate will be paid moving expenses, a 20,000 dram (about $35) one-time allowance plus 5,000 drams (about $8.50) for each family member. Other incentives include 10-year, no-interest loans (up to about $465) and, depending on need, some families are given a cow. Additionally, re-settlers of conscript age can delay their military service by two years. Until last year, resettlement matters were handled by the Ministry of Social Security. Now, however, Serzh Amirkhanian heads the new Department for Migration, Refugees and Resettlement Issues. "Besides the privileges provided by the government, we are trying to improve the re-settlers' social conditions--especially for large families--with the help of private donations and humanitarian programs," Amirkhanian says. The leadership of the school in Nor Haykajour is evidence that the resettlement program is working. The school's director is from the Armenian town of Metsamor, and the deputy director is from Gyumri. The 43 students in her school "pay more attention to education (than those in Armenia)," says director Lyuba Grigorian. "Maybe we will create a new, independent state. Whether we will, we don't know. But we are doing our best." For doing her best teaching Armenian language and literature, deputy director Anahit Lorestian is paid about $30 a month - a salary above the average for teachers in her native Gyumri. But Anahit says she resettled in Nor Haykajour because she was tired of "city" life, and wanted to enjoy Karabakh's famous nature."

- **Exploitation of Azerbaijan's natural resources to support the transfer of population into the Nagorny-Karabakh region, in particular those from Armenia.**

"*Golos Armenii*" web site, 27 July 2004 (cited from: <http://www.armeniandiaspora.com/archive/8572.html>), "*Mining Development Transforms Village in Nagornyy Karabakh*": "The village of Drmbon in Nagornyy Karabakh is being transformed thanks to the development of the copper and gold deposits in the region," says the writer Aris Kazinyan. The population of the village has risen from 460 before the war with Azerbaijan to the point where 820 are engaged on working at the plant which produces 14,000 t of ore a month... "The flood of people coming to Drmbon is, of course, great for the overall economic development of the village," the school director says. "Families from Armenia, for example, are renting homes, often repairing them, from which each villager gains. I am not even speaking about the work at the plant, where the average wage is over 250 dollars. The strengthening of our area means we can think about building a new school, because more families are moving to Drmbon. This work today is being carried out by the All-Armenian Ayastan foundation. The children of Drmbon will see in the new academic year in a well-appointed modern school."

- **Main focus is on settlement: settlers are granted privileges - 12 families moved from the town Aparan, Armenia.**

"*Azat Artsakh*" newspaper, 15 September 2004, "*Nor Shahoumian Goes On*" by Anahit Danielian: "The government and philanthropists implement a number of programs in Nor Shahoumian which is situated at the borderline. Presently the region has 15 communities of which 2 have been established recently. One of them Kkerkhapout already has its head of community, and Knaravan will have one soon after settlement. We talked to the head of the regional administration Vasil Nalbandian on the process, problems and

programs of settlement of the region. According to him, the main focus in the region is on settlement. Here, as well as in other regions, the new settlers are granted privileges, provided with houses, land, pastures. They are exempt of tax on land and water. The head of administration mentioned that last year the number of new settlers increased by 350. This year about 12 families moved to the community of Nor Manashid from the town Aparan, Republic of Armenia."

- **Most of settlers are from Armenia and that only few refugees have joined the resettlement program.**

Greatreporter.com, 27 September 2004, "*Tensions High in Disputed Caucasus Territory*" by Onnik Krikorian (<http://www.greatreporter.com/modules.php?name=News&file=article&sid=291>): "Anyone taking the road from Goris to Stepanakert has passed through Lachin, the strategic, main artery in the lifeline between Armenia and the self-declared Republic of Nagorno-Karabakh. Few actually visit the town now of course, perhaps unsurprisingly given the destruction evident throughout. The only interest for many passing through is that Lachin lies not in Karabakh, but within what the international community considers sovereign Azerbaijani territory... On the outskirts of Lachin, a recently constructed church belies the fact that this town, now renamed Berdzor, was once inhabited by at least 20,000 Azeris and Kurds. During the war, both sides pursued tactics designed to prevent inhabitants from returning to their homes, and the destruction unleashed on Lachin was considerable. Houses are being rebuilt however, but this time for approximately 3,000 Armenians relocated in an effort to repopulate the region. The aim is to increase the population of the unrecognised republic from under 150,000 in 1994 to 300,000 by 2010. Given the size of Karabakh, it is hard to imagine that the plan does not also include towns such as Lachin that lie outside Karabakh proper, in the buffer zone connecting the enclave to Armenia. Moreover, while the official line suggests that those relocating to Karabakh and elsewhere are Armenian refugees from Azerbaijan, the reality on the ground suggests otherwise... Zoric Irkoyan, for one, is not a refugee. Arriving six years ago from Yerevan, he openly admits that most of those inhabiting the disputed territory are from Armenia and that few refugees have joined the resettlement program. "Not many came because they were used to their life in Baku and Sumgait [in Azerbaijan]," explains Irkoyan. "Many now feel safer in Armenia, and like a million other Armenians, some have left for Russia..." Still, Irkoyan does have a good job now, working as the chief education specialist for the local department of education, youth affairs, and sports. The flag of the unrecognized Republic of Nagorno-Karabakh flies over his offices, a municipal building serving as the administrative centre for most of the territory sandwiched between Armenia and Karabakh. Stretching from Lachin to the Iranian border, what has become known as the occupied territories is marked on Armenian maps as Kashatagh, while to the north; Kelbajar is part of the New Shahumian region... Fifteen thousand Armenians already live in Kashatagh, and buses bring the new arrivals to Lachin every week to claim social benefits dispensed from the window of the building opposite. It would seem that for many in Armenia, conditions can be even worse, but in Lachin virtually everyone has work. Schools and other social services have been established to cater to the needs of the settlers, and there is also the lure of other benefits. Anyone intending to relocate to Kashatagh receives financial incentives, cattle and livestock worth about $240, land, and a ruined Azeri home that they can call their own. None of that influenced Irkoyan's decision to resettle here, he says. Part of the military force that seized the town 10 years earlier, he considers it his duty. "It was our dream to liberate Lachin," he explains, "and when I heard that there were schools in the liberated territories that needed specialists, I decided to move..." "While those who once lived here could say they that were fighting for their birthplace," he continues, "they could not say that they were fighting for their historical motherland..." Irkoyan adds that he even keeps the photograph of

the former occupants of the home he has since rebuilt. "They looked like normal people," he admits... The sound of construction work can be heard throughout Lachin and there are even two markets, dozens of small shops, and a café... In contrast, Calouste, a 39-year-old former computer programmer from ... Yerevan who opened a grocery store in Lachin four years ago, says that if there were enough Armenian goods to sell, he wouldn't stock a single imported item. That is his goal, and when that happens, everything will be perfect. Life may not yet meet Calouste's definition of perfection and there is much hardship here, but there is a sense that Lachin is developing into a community, although of course, nothing is ever that simple in the Caucasus. With salaries low throughout the region, many still buy goods on credit. One customer has come in that day to settle his account, handing 6,000 Armenian dram (about >$12) over the counter while Calouste's sister crosses his name off a list that stretches several pages. Another waits in line to buy vodka and wine while Calouste encourages him to buy goods produced in Armenia from a selection largely made up of imported items. He already offers bottles of wine named after the disputed city of Shushi in Karabakh, along with Armenian cigarettes, vodka, light bulbs, chocolate, ice cream, and fruit juices. There is even talk of growing tobacco nearby to supply cigarette producers in Armenia. "We don't want help," he says, apologising that he's a nationalist. "If Armenians living in the Diaspora just send us money, we'll forget how to help ourselves..." The next day, Irkoyan takes me northward in the direction of Herik, formerly the Azeri village of Ahmadlu... Meandering through a pastoral scene that contrasts sharply with the sight of towns and villages long since razed to the ground, cows brought over the border with Armenia now graze among the ruins. In these parts, it is not always easy to talk, like Calouste, of self-sufficiency. In Melikashen, a little village not far from Lachin, one family invites us in for coffee. Amid the dirt and dilapidation of their new home, "repossessed" from its former owners, the new arrivals explain that the Armenian Diaspora must invest in these new communities while Irkoyan is more interested in validating Armenian claims to this land by taking me to see an old Armenian castle. An Azeri house has been built into its side. Behind the remains of an Armenian stone cross now broken in two, pigs are being herded into an outhouse while an old woman skins the head of a slaughtered sheep on the balcony above. Her husband invites us in, insisting, as duty demands, that we have some tan, a drink similar to yogurt, before we leave. A passing car throws up a cloud of dust, momentarily obscuring the view. The next stop on a road that takes us past the remains of Azeri villages, towns, cemeteries, and the occasional Armenian monastery perched high overhead is Moshatagh. The village head, another new arrival from Jermuk, once a popular tourist destination in Armenia, sits with his family of eight on the veranda of their new home. His four-wheel drive is needed to make the journey to Herik, high in the surrounding hills, but even then, the twisting, narrow road will be difficult. Upon our arrival, children in threadbare clothing clamour to have their photographs taken outside the 16th Century church that the Azeris once used as a cattle shed. Conditions must have been significantly worse in Armenia for families to consider relocating to Herik. There are no telephones, and water has to be collected from a hosepipe that serves as the irrigation system for the entire village. Irkoyan says that 50 per cent of the villages now being resettled have no electricity. And for some, the conditions are too hard. Another family invites us in. Their living conditions are the worst I have seen anywhere. They have decided enough is enough and have since moved their seven children to Lachin as the winter set in. Another family from the 13 who originally came here has also left. Others, however, are more resilient and defiant. Feasting on barbecue and lamb stew, perhaps as many as 100 sit around plastic sheets that serve as makeshift tablecloths. The vodka flows as freely as the nearby river, and toasts made by former fighters still in uniform are simple and to the point. For them, this is Armenian land, and it will never be given back... Irkoyan says he would refuse to leave. "Some might have moved here because of the social conditions in Armenia," he says, "but others did not. I can't guarantee that I will always live in Lachin, but there is a connection with this

land. It is our life, and if we lose that, there is nothing. While I am not saying that everybody will fight again, at least 30 per cent would. Nobody can tell us what to do, not even the Americans." "There could be concessions from some parts of Fizuli and Aghdam," he continues, "but anyone who knows this territory understands that nothing else can be returned. In my opinion, not one centimetre should be given back. If we return anything, we will again be risking the security of Armenians living in Karabakh. The most effective peacekeeping force is our own." Further south, Razmik Kurdian, an Armenian from Lebanon who heads the tiny village of Ditsmayri situated between Zangelan and the Iranian border, puts it more bluntly. "This land was paid for in blood, and will only be given back with blood," he says, in between impromptu renditions of old nationalist songs glorifying victories over the Turks. "If anyone ever thought of returning this land, they would be betraying the memory of those who died." For Irkoyan, Kurdian, and many others, therefore, this land will always be Armenian but while they admit that small pockets of territory outside Nagorno-Karabakh proper, in particular Aghdam and Fizuli, could conceivably be given back, it is unlikely that Azerbaijan and the international mediators will ever consider any of this land as Armenian. For the peacemakers, then, conflicting claims to the land that lies between Armenia and Nagorno-Karabakh could prove as sensitive an issue as the status of Karabakh itself."

- **Settlement in the occupied Jabrail, Kelbajar and Lachin districts of Azerbaijan.**

"*Armenian Weekly*", 18 September 2004: Armenia-based "Ekrir" Group is involved in the establishment of settlement named "Knaravan" in the occupied Kelbajar district, as well as two other settlements – "Araler" and "Aykavan" in the occupied Jabrail district. The Armenian Diaspora organization, named "Armenian Relief Society" (ARS) has recently opened a school for the resettled community in the occupied Lachin district.

- **The resettlement policy envisages doubling the population bringing it to 300,000 from 150,000, while over 5,300 families have already moved to the Nagorny-Karabakh region since 2000.**

"*YERKIR*" Armenian online newspaper, 5 October 2004, "*Over 5,300 Families Resettled in Nagorno Karabakh since 2000*" (<http://www.yerkir.am/eng/index.php?sub=news_arm&day=05&month=10&year=2004&id=9814&id=9812>): "Over 5,300 families have moved to Nagorno Karabakh since 2000, Nagorno Karabakh Republic Prime Minister Anushavan Danielian told Armenpress, adding resettlement is a pivotal issue since human resources do not correspond to natural resources. The resettlement program, adopted by the NKR government in 2000, envisages to double the population bringing it to 300,000 from 150,000. Danielian said the government pays for the program, but some charities have been also contributing in recent years."

- **The number of settlers in the occupied Kelbajar district of Azerbaijan increased by 350 during 2003.**

"*Armenian news network*": According to the head of the so-called "local authority" in the occupied Kelbajar district, renamed to "Nour Shaumian", in this district alone "the number of new settlers increased by 350" during 2003.

- **The Armenian Diaspora organization assists in transferring of settlers into the Nagorny-Karabakh region.**

"World Armenian Congress" (<http://worldarmeniancongress.com/ru/wac/ustav_2php>): As laid down in Article 8.11 of the Charter of the World Armenian Congress, one of its main purposes is "to assist in providing an infrastru cture and transferring of Armenian migrants to Nagorny Karabakh."

RESULTS OF ARMENIAN AGGRESSION

Refugees and IDP

Refugees from Armenia	- 250 000
Internally displaced persons from the occupied territories	- 660 000
Internally displaced persons from regions along the border with Armenia and line of occupation	- 100 000
Total	**-1 010 000**

Armenian Armed Forces in the occupied territories

Tanks - 316	Artillery - 322
ACV - 324	Personnel - 40 000

Settlers illegally transferred to occupied territories

Nagorny-Karabakh	- 8 500
Lachin	- 13 000
Kelbajar	- 700
Zangilan	- 520
Jabrayil	- 280
Total	- 23 000

- Temporary Refugee/IDP settlements
- IDP tent camps
- Occupied territories
- Line of occupation
- Admin. line of the former NKAO of Az.SSR

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Occupied territories of Azerbaijan

Nagorny-Karabakh region

Territory	- 4 388 sq. km
Population (1989)	- 189 085
Armenians	- 145 450 (76,9%)
Azerbaijanis	- 40 688 (21,5%)
Russians	- 1922 (1%)
Others	- 1025 (0,6%)

Shusha district

Territory	- 289 sq. km
Population (1989)	- 20 579
Azerbaijanis	- 19 036 (92,5%)
Armenians	- 1 377 (6,7%)
Occupied	- May 8, 1992

Districts outside Nagorny-Karabakh region

	Occupation	*Expulsion*
Lachin	- May 18, 1992	- 71 000
Kelbajar	- April 2, 1993	- 74 000
Aghdam	- July 23, 1993	- 165 600
Fizuli	- August 23, 1993	- 146 000
Jabrayil	- August 26, 1993	- 66 000
Gubadly	- August 31, 1993	- 37 900
Zangilan	- October 28, 1993	- 39 500

Victims of aggresion

Killed - 20 000 Disabled - 50 000 Missing - 4 866

Destructions and damage

Settlements	- 890
Houses	- 150 000
Public Buildings	- 7 000
Schools	- 693
Kindergartens	- 855
Health Care Facilities	- 695
Libraries	- 927
Temples	- 44
Mosques	- 9
Historical Places	- 9
Historical Monuments and Museum	- 464
Museum Exhibits	- 40 000
Industrial and Agricultural Enterprises	- 6 000
Motor Ways	- 800 km
Bridges	- 160
Water Pipelines	- 2 300 km
Gas Pipelines	- 2 000 km
Electricity Lines	-15 000 km
Forests	- 280 000 ha
Sowing Area	- 1 000 000 ha
Irrigation Systems	- 1 200 km

The total damage is estimated up to 60 billions US $